

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARIO TRICOCI HAIR SALONS &)	
DAY SPAS, LLC d/b/a Tricoci Salon and)	
Spa, an Illinois corporation,)	
)	Case No. 20-cv-07196
Plaintiff,)	
)	Honorable Matthew F. Kennelly
v.)	
)	Hon. Mag. Gabriel A. Fuentes
CLAUDIA POCCIA and MOLLY SLOAT,)	
)	
Defendants.)	

JOINT STATUS REPORT

Plaintiff Mario Tricoci Hair Salons & Day Spas, LLC d/b/a Tricoci Salon and Spa (“**Tricoci**”), through its undersigned counsel, Defendant Claudia Poccia and Defendant Molly Sloat, through their undersigned counsel, respectfully submit the following joint status report and request that the deadlines referenced herein be entered by the Court.

I. Whether the parties consent to proceed before a United States Magistrate Judge:

The parties agree to proceed before a United States Magistrate Judge for the resolution of discovery disputes only.

II. Motions and Discovery Disputes

A. Briefly describe any pending motions.

There are currently no pending motions.

B. State whether the parties anticipate further discovery disputes requiring Court intervention.

The parties anticipate they will be able to provide an agreed remediation protocol without the need for Court intervention.

The parties continue to work through issues regarding documents withheld pursuant to privilege. Tricoci anticipates that Court intervention may be necessary to resolve this dispute and consents to adjudicate that dispute before a Magistrate Judge.

Ms. Poccia incorporates her response below with respect to the privilege designation issue referenced by Tricoci. Ms. Poccia also agrees to adjudicate any such matters before a Magistrate Judge.

III. Case Plan.

A. **Proposed Discovery Plan:**

- (1) The parties anticipate that they will require the following additional discovery:

Tricoci

Tricoci anticipates it will complete the depositions of both Defendants but agrees to limit such continued depositions to three and one half (3.5) hours each. Tricoci will renew its request to take the 30(b)(6) deposition of a Fekkai representative(s) and serve a subpoena on Fekkai for limited documents. Tricoci may also take at most three third-party witness depositions limited to three and one half (3.5) hours each. Tricoci reserves the right to serve additional written discovery requests on both Defendants. Tricoci anticipates the need to meet and confer regarding Defendants' privilege logs and compliance with the Preliminary Injunction Order. [Dkt. No. 149].

Poccia

Defendant Poccia anticipates completing the deposition of Tricoci CEO Chris Santiago and also anticipates taking three additional depositions in furtherance of her defenses, but proposes that each be limited to no more than three and one half (3.5) hours of questioning, in addition to Mr. Santiago's continued deposition (four depositions total inclusive of completing the continued Santiago deposition). To the extent Ms. Poccia and Ms. Sloat wish to depose the same witness, Defendants jointly propose that such deposition last no more than the standard 7 hours total. For clarity, Mr. Santiago will be presented for a total of an additional three and one half (3.5) hours.

Ms. Poccia also anticipates propounding requests for the production of documents under Rule 34 and several interrogatories under Rule 33, not to exceed the maximum permitted under Rule 33(a)(1). With respect to Tricoci's statements on Defendants' privilege logs and/or compliance with the Preliminary Injunction Order, the parties will confer in good faith to resolve any such disputes prior to resorting to motion practice.

Sloat

Defendant Sloat anticipates completing the deposition of Tricoci CEO Chris Santiago and agrees to limit the deposition to three (3.5) hours total between

both Defendants. It is further anticipated that Sloat will notice the deposition of approximately three additional Tricoci executives and agrees to limit these depositions to three and one half (3.5) hours and that any deposition jointly taken by Defendants will last no more than seven (7) hours. Sloat intends to propound twenty-five (25) interrogatories and requests for production.

- (2) Initial Disclosures: November 19, 2021.
- (3) Final written discovery due to be issued by: January 18, 2021.
- (4) Fact discovery completion: March 18, 2022.
- (5) Expert discovery completion date, including dates for delivery of expert reports due: April 25, 2022
- (6) Final or supplementation of the discovery responses and disclosures due: April 26, 2022
- (7) Date for filing of dispositive motions: May 24, 2022

B. With respect to trial:

- (1) Whether a jury trial is requested: A jury trial has been requested.
- (2) The probable length of trial: Tricoci anticipates that the trial will last 8 days. Ms. Poccia and Ms. Sloat disagree with this estimate, but not substantially, and believe a trial may be completed within 5 days.

IV. Status of Settlement Discussions.

A. Indicate whether any settlement discussions have occurred.

Basic settlement discussions have occurred.

B. Describe the status of any settlement discussions.

The parties are in the process of discussing whether a mediation would be fruitful.

C. Whether the parties request a settlement conference.

Ms. Poccia and Ms. Sloat do believe a settlement conference with the Court should proceed. Tricoci does not agree to a settlement conference with the Court and indicated it is only amenable to a private mediation.

Dated: October 22, 2021

Respectfully submitted,

**TRICOCI HAIR SALONS AND DAY SPAS, LLC
D/B/A TRICOCI SALON AND SPA**

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CERTIFICATE OF SERVICE

I, Laura Luisi, an attorney, hereby certify that I caused true and correct copies of the foregoing Joint Status Report to be served upon the individual(s) identified below through the Court's ECF notification system on October 22, 2021.

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